

REMARKS**INTRODUCTION:**

In accordance with the foregoing, claims 1, 5, 9, 13 and 14 have been amended, and new claim 16 has been added. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-16 are pending and under consideration. Reconsideration is respectfully requested.

RESTRICTION REQUIREMENT:

When efforts to reach Examiner Chen were unsuccessful (Examiner Chen was on vacation), Examiner Chen's co-worker, Allen Cao, returned Applicant's attorney's call regarding an Office Action mailed March 3, 2006, which set forth a Restriction Requirement. Examiner Cao agreed that the Office Action citing the Restriction Requirement, mailed March 3, 2006 did not apply to the current application. Hence, the Office Action citing the Restriction Requirement was withdrawn/vacated on March 16, 2006.

REJECTION UNDER 35 U.S.C. §103:

In the Office Action, at pages 2-5, numbered paragraph 2, claims 1-9 (and apparently claims 10 and 13) were rejected under 35 U.S.C. §103(a) as being unpatentable over Morinaga (JP 8-203259A; hereafter, Morinaga) in view of Park et al. (EP 1 207 532 A2; hereafter, Park). The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

Although claims 10 and 13 were not recited as rejected under 35 U.S.C. §103(a) over Morinaga (JP 8-203259A) in view of Park et al. (EP 1 207 532 A2) on page 2, the Examiner commented in the Office Action Summary, Box 6, and on pages 4-5 of the Office Action, that claims 10 and 13 were rejected, so this response is proceeding with the assumption that claims 1-10 and 13 are rejected under 35 U.S.C. §103(a) as being unpatentable over Morinaga (JP 8-203259A) in view of Park et al. (EP 1 207 532 A2).

Independent claim 1 has been amended to recite:

A disk tray for a disk drive that slides in and out of the disk drive, the disk tray comprising two or more resonators mounted on a lower surface of the disk tray to selectively reduce noise of at least two predetermined frequency bands that correspond to dominant noise frequency bands above 200 Hz.

Independent claims 5, 9, and 13 have been amended in similar fashion. The amendments of claims 1, 5, 9 and 13 are supported by paragraphs [0012], [0027] and [0028] of

the specification.

As noted by the Examiner, Morinaga does not show that the dampers selectively reduce noise of at least two predetermined frequency bands.

FIG. 3 of the present invention displays that the peak sound pressure level appears around 1000 and 1700 Hz, which are the dominant noise frequency bands. Amended independent claims 1, 5, 9 and 13 implement resonators that selectively reduce or remove noise from at least two dominant noise frequency bands above 200 Hz. It is respectfully submitted that in FIG. 7 of Park, "example A1 lacks the dynamic vibration absorber and generates resonance around 60 Hz. On the other hand, in experimental example A2, which has the dynamic vibration absorber, the resonance has been largely reduced around 60 Hz" (see paragraph [0037] of Park).

In FIG. 9 of Park, it is shown that "...using computer simulations, a theoretical dynamic vibration absorber can be designed to effectively absorb the vibration of the deck plate 20 having a resonance at around 60 Hz" (see paragraph [0040] of Park).

Thus, even if the resonator taught by Park were used to replace Morinaga's dampers, the resonators would not selectively reduce noise of two predetermined frequency bands that correspond to dominant noise frequency bands above 200 Hz, as is set forth in amended independent claims 1, 5, 9, and 13 of the present invention. Hence, Park and Morinaga do not disclose or suggest amended independent claims 1, 5, 9, and 13 of the present invention. Thus, amended independent claims 1, 5, 9 and 13 are submitted to be patentable under 35 U.S.C. §103(a) over Morinaga (JP 8-203259A) in view of Park et al. (EP 1 207 532 A2).

Since claims 2-4, 6-8, and 10-12 depend from amended independent claims 1, 5, and 9, respectively, claims 2-4, 6-8, and 10-12 are submitted to be patentable under 35 U.S.C. §103(a) over Morinaga (JP 8-203259A) in view of Park et al. (EP 1 207 532 A2) for at least the reasons that independent claims 1, 5 and 9 are patentable under 35 U.S.C. §103(a) over Morinaga (JP 8-203259A) in view of Park et al. (EP 1 207 532 A2).

Claim 14 has been amended to include the features of claim 13, as suggested by the Examiner (see below). Hence, claim 14 is submitted to be patentable under 35 U.S.C. §103(a) over Morinaga (JP 8-203259A) in view of Park et al. (EP 1 207 532 A2).

Since claim 15 depends from amended claim 14, claim 15 is patentable for at least the reasons that amended claim 14 is patentable under 35 U.S.C. §103(a) over Morinaga (JP 8-203259A) in view of Park et al. (EP 1 207 532 A2).

ALLOWABLE SUBJECT MATTER:

Claims 11, 12, 14, and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants thank the Examiner for his careful consideration of the claims.

As noted above, claim 14 has been amended to include the features of claim 13. Hence, amended claim 14 is submitted to be in allowable form. Since claim 15 depends from amended claim 14, claim 15 is in allowable form for at least the reasons that amended claim 14 is in allowable form.

NEW CLAIM:

New claim 16 recites that the features of the present invention include a disk tray for a disk drive that slides in and out of the disk drive, the disk tray comprising two or more resonators mounted on a lower surface of the disk tray to selectively reduce at least two peak sound pressure levels that are above 200 Hz, wherein the peak sound pressure levels correspond to dominant noise frequency bands.

New claim 16 is supported by paragraph [0027] of the specification.

Nothing in the prior art teaches or suggests such. It is submitted that this new claim distinguishes over the prior art.

CONCLUSION:

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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May 24, 2006

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